

2 November 1954

MEMORANDUM FOR: Deputy Director (Plans)
 Deputy Director (Intelligence)
 Deputy Director (Administration)
 Director of Training
 Assistant Director for Communications

SUBJECT: Annual Premium Pay Differentials

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Auth.: HR 70-2
Date: 30/11/78 By: 051

1. Public Law 763, 83rd Congress, amended the Federal Employees' Pay Act of 1945, effective 7 November 1954, to provide for payment of premium compensation at an annual rate to employees serving in certain types of positions. Broadly speaking, employees in positions requiring "standby duty", such as firefighters, and those in positions in which the hours of work cannot be controlled administratively and which require substantial amounts of irregular overtime, holiday and night work, such as FBI agents, may receive allowances up to 25 per cent and 15 per cent, respectively, of their base annual compensation up to the minimum GS-9 salary level.

2. The Civil Service Commission has published a revised pay regulation governing administration of these provisions of the Act. The standards for determining whether a given position meets the requirements for an allowance and establishing the rate within the 15 per cent and 25 per cent limitations have been extracted and are attached for your information and guidance.

3. Pending the development of appropriate regulatory material for inclusion in Agency Regulation [REDACTED] the following procedure has been adopted to expedite implementation of these provisions within the Agency:

a. The addressees will be responsible for reviewing positions under their respective jurisdictions in terms of the standards set forth in the attachments. (This responsibility may be delegated to immediately subordinate officials at the discretion of the addressees; extra copies of this memorandum are included for this purpose.)

b. If they consider that they do have positions under their jurisdiction for which an annual rate may properly be established, they will prepare a memorandum for each such position, or group of positions, furnishing the following information:

(1) Positive identification of the position(s) by title, grade, position number, and organization (Office/Staff or Division/Branch).

(2) For investigator-type positions: full information as to the frequency and duration of irregular, unscheduled, overtime duty and the night and holiday duty required; the nature of the work which prevents hours of duty from being controlled administratively; the necessity for the employee's being generally responsible for recognizing, without supervision, circumstances which require him to remain on duty; and any other pertinent conditions.

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(3) For positions involving standby duty: full information as to scheduled hours of duty; the number of hours of actual work required and how it is distributed over the time on duty; the number of hours in a standby status required and the extent to which the employee's whereabouts and activities are restricted during standby periods; and any other pertinent conditions.

(4) A statement as to whether the positions involve these requirements at all times or, if applicable, the frequency or duration of their occurrence.

c. Requests for the establishment of an annual rate of compensation will be forwarded, in triplicate, to the Assistant Director for Personnel. He will coordinate each such request with the Comptroller to determine whether all of the required conditions are met and the appropriate rate to be applied.

d. The original requests will be returned to the initiating office following action by the Assistant Director for Personnel; one conformed copy will be retained in the Office of Personnel and one in the Office of the Comptroller.

4. Instructions for subsequent action authorizing payments to individuals will be developed and furnished with approved requests. Tentatively, these authorizations will be processed on Standard Form 52, Request for Personnel Actions; however, the volume of approved requests may require some special procedure.

5. Rates may be established at the beginning of any pay period following their approval. However, it is suggested that you initiate requests based on your current requirements as rapidly as possible.

6. You are also reminded that the cost of paying these annual rates must be absorbed within current budgetary allowances.

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Harrison G. Reynolds
Assistant Director for Personnel

Attachments

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